

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLSTATE INSURANCE COMPANY, et al., Plaintiffs	: : : : : : : : : :	CIVIL ACTION NO. 08-05294
v.		
GAIL L. WELLS, et al., Defendants		

ORDER

AND NOW, this 15th day of July, 2009, upon consideration of the parties' cross-motions for judgment on the pleadings (Documents # 42 and 46), and after a hearing on the motions, it is hereby ORDERED that the plaintiffs' motion is GRANTED, the defendants' motion is DENIED, and judgment is entered in favor of the plaintiffs.

IT IS FURTHER ORDERED that the plaintiffs do not have a duty to defend or indemnify Defendant Mark Wells for the claims of Defendant Kathleen Schickling, Executrix of the Estate of James Schickling and in her own right, as set forth in the complaint filed in the Court of Common Pleas of Philadelphia County, June Term, 2008, No. 00073.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

